

### **REMARKS**

Claims 1-29 are pending in this application. Claims 1, 22, 28 and 29 are independent. In light of the remarks included herein, Applicant respectfully requests reconsideration and withdrawal of the outstanding rejections.

In the outstanding Official Action, the Examiner rejected claims 1, 22, 28 and 29 under 35 U.S.C. §102(e) as being anticipated by *Sobeski et al.* (USP 6,819,343); rejected claim 2 under 35 U.S.C. §103(a) as being unpatentable over *Sobeski et al.* in view of *Reha et al.* (USP 6,282,709); rejected claims 11, 17, 21, 23, and 25-27 under 35 U.S.C. §103(a) as being unpatentable over *Sobeski et al.* in view of *Reha et al.* and further in view of *Shima et al.* (USP 6,295,479); rejected claim 3 under U.S.C. §103(a) as being unpatentable over *Sobeski et al.* in view of *Manolis et al.* (USP 6,583,799); rejected claim 14 under 35 U.S.C. §103(a) as being unpatentable over *Sobeski et al.* in view of *Reha et al.*, *Shima et al.* and further in view of *Brennan et al.* (USP 2002/0077829) and *Manolis et al.*; rejected claim 18 under 35 U.S.C. §103(a) as being unpatentable over *Sobeski et al.* in view of *Reha et al.*, *Shima et al.* and further in view of *Manolis et al.*; rejected claims 4, 5, 6, 9, 10 and 24 under 35 U.S.C. §103(a) as being unpatentable over *Sobeski et al.* in view of *Brennan et al.*; rejected claim 7 under 35 U.S.C. §103(a) as being unpatentable over *Sobeski et al.* in view of *Brennan et al.*, and further in view of *Reha et al.*; and rejected claims 12, 13, 15, 16, 19 and 20 under 35 U.S.C. §103(a) as being unpatentable over *Sobeski et al.* in view of *Reha et al.*, *Shima et al.*, and further in view of *Brennan et al.* Applicant respectfully traverses these rejections.

#### **Claim Rejections – 35 U.S.C. §102(e) - *Sobeski et al.***

In the outstanding Official Action, the Examiner maintained his rejection of claim 1 as being anticipated by the teachings of *Sobeski et al.* Applicant respectfully disagrees that *Sobeski et al.* anticipates claim 1.

In Applicant's previous reply, Applicant argued that *Sobeski et al.* fails to teach or suggest the server generating customized updated button information. The Examiner's attention was respectfully directed to col. 5, lines 36-49, which discloses that the user may update

parameters to reflect changes in their content preferences. The server does not initiate and generate the updating of button information.

In response to these arguments, the Examiner responded by asserting that the server provides the information to the user and that the server performs the updating of the information. However, Applicant respectfully submits that these comments fail to address Applicant's arguments and, further, fails to teach the claim element.

Applicant agrees that *Sobeski et al.* teaches that the updated information is stored and provided by the cooperating server. However, Applicant does not agree that the cooperating server generates the updated information. *Sobeski et al.* clearly teaches that the operator initiates the updating of the parameters at the client device to reflect a change in their content preference. Based upon this action of the user selecting their preference, the toolbar is updated with buttons to reflect controls to access this newly desired content, selected by the user (col. 5, lines 41-45).

In contrast, the present invention provides for the server to generate the updated button information based on information that is already stored within the system. As such, Applicant maintains that *Sobeski et al.* fails to anticipate the present invention by failing to teach or suggest the server generating the updated button information as set forth above. As such, Applicant respectfully requests that the outstanding rejection be withdrawn.

It is respectfully submitted that claims 2-21 and 26 are allowable for the reasons set forth above with regard to claim 1 at least based on their dependency on claim 1. It is further respectfully submitted that claims 22, 28 and 29 include elements similar to those discussed above with regard to claim 1 and thus these claims, together with claims dependent thereon, are allowable for the reasons set forth above with regard to claim 1.

### **Conclusion**

In view of the above arguments, Applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Catherine M Voisin Reg. No. 52.327 at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

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